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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

TAYLOR ERIC VAUGHN,

Plaintiff,

vs.

WORKDAY, INC.,

Defendant.

Case No.

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant Workday, Inc. (“Workday”) removes this action from the Circuit Court of the State of Oregon for the County of Multnomah (“Multnomah County Circuit Court”) to the United States District Court for the District of Oregon (“District Court of Oregon”) based on the existence of complete diversity of citizenship between the parties.

STANDARD

“[A]ny civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court

of the United States for the district and division embracing the place where such action is pending.” 28 U.S.C. §1441(a). To remove a case from state court to federal court, a defendant merely needs to file a notice of removal “containing a short and plain statement of the grounds for removal.” 28 U.S.C. §1446(a); *Dart Cherokee Basin Operating Co., LLC v. Owens*, 135 S. Ct. 547, 551, 190 L. Ed. 2d 495 (2014).

DIVERSITY OF CITIZENSHIP EXISTS

Workday removes this action pursuant to 28 U.S.C. § 1332 and § 1441, because it is a civil action between citizens of different states and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

According to the allegations in his Complaint, Plaintiff Taylor Eric Vaughn (“Vaughn”) is an adult resident of Benton County, Oregon. Declaration of Megan J. Crowhurst in support of Defendant’s Notice of Removal (“Crowhurst Decl.”) ¶ 2, Ex. A, Compl. ¶ 4. Pursuant to 28 U.S.C. § 1332(c), a corporation is a “citizen” both of the state in which it is incorporated and of the state where it has its principal place of business. Workday is a Delaware corporation with its principal place of business in Pleasanton, California. Crowhurst Decl. ¶ 2, Ex. A, Compl. ¶ 3. Therefore, Workday is a citizen of both Delaware and California, but not Oregon, for diversity purposes.

In his prayer for relief, Vaughn seeks \$5,442,269.00 in damages plus reasonable attorney fees and costs, along with other non-monetary relief. Crowhurst Decl. ¶ 2, Ex. A, Compl. Therefore, the operative Complaint satisfies the \$75,000 amount in controversy threshold under 28 U.S.C. § 1332(a).

REMOVAL TO THIS DISTRICT IS PROPER

Pursuant to 28 U.S.C. § 1441(a), Workday removes the underlying action to the District Court of Oregon, Portland Division, which is the judicial district and division embracing the

place where the state court case is pending (*i.e.*, Multnomah County Circuit Court). 28 U.S.C. § 117. Defendant has good and sufficient defenses to this action and does not waive any defenses, jurisdictional or otherwise, by filing this Notice of Removal. Crowhurst Decl. ¶ 5.

NOTICE OF REMOVAL IS TIMELY

Pursuant to 28 U.S.C. § 1446(b)(1), a notice of removal shall be filed within 30 days after service on defendant of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based. Vaughn filed a civil action against Workday in Multnomah County Circuit Court entitled *Taylor Eric Vaughn v. Workday, Inc.*, Case No. 23CV22298, on June 2, 2023, which Vaughn served on Workday on June 5, 2023. Crowhurst Decl. ¶¶ 2, 4, Ex. A. Thus, this removal is timely filed pursuant to 28 U.S.C. § 1446(b), *i.e.*, within thirty (30) days after Defendant received the initial pleading.

Pursuant to 28 U.S.C. § 1446(a), all papers filed in the Multnomah County Circuit Court and that were served on Workday at the time of the removal are attached. Crowhurst Decl. ¶ 2, Ex. A. As of the date of filing this Notice of Removal, Workday is not aware of any further proceedings in the Multnomah County Circuit Court. Crowhurst Decl. ¶ 2.

Pursuant to 28 U.S.C. § 1446(d), Workday will provide written notice to Vaughn that this Notice of Removal is being filed and will provide a copy of this Notice of Removal with the Clerk of the Multnomah County Circuit Court. Crowhurst Decl. ¶ 3.

CONCLUSION

WHEREFORE, Defendant Workday, Inc. hereby removes this civil action from the

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Multnomah County Circuit Court to this District Court of Oregon.

Dated: June 30, 2023

Respectfully submitted,

LITTLER MENDELSON P.C.

/s/ Megan J. Crowhurst

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